## TWO BIG IMPROVEMENTS

BOARD OF WORKS WILL PAVE WEST AND SHELBY STREETS.

The Contemplated Work Will Cost \$100,000-Buildings Condemned -Municipal Affairs.

Nearly \$100,000 will be spent by the city | About 8:30 o'clock Sunday night the poin improving West street and Shelby street, lice desk 'phone rang. With customary in the Supreme Court yesterday for the If two important improvement resolutions | promptness Desk Sergeant Bray answered. | appellee in the case of the State of Inadopted late yesterday afternoon by the A feminine voice sang out over the line: diana ex rel. William H. Hart, auditor Board of Public Works are not blocked "I want a policeman to come to No. - of state, vs. the Commercial Insurance finally by remonstrances.

teenth street, will be given asphalt road- here's the story in a nutshell: A domestic lator, and asks for a writ of mandate way, brick gutters and cement walks, if | was entertaining her beau. He was at- against the insurance company requiring it the citizens are willing that their street | tempting to exact a promise of marriage | to permit the auditor to examine its books, should be so improved. The estimated from her. She didn't love him in the good papers and general financial condition. An cost of the improvement is \$49,750.

Shelby street, from Prospect street to fused to accept his proffered hand. Meek street, is listed for improvement mated conservatively that the cost of the | missed to-morrow.

work will be not less than \$49,150. The two resolutions adopted are for imly than usual, and are about as big as are ever made at any one time. It is prob-able that the action of the board will stir up a lively fight among residents of the two streets, who may object to paying assessments, and some lively sessions are anticipated at the board office. April 23 has been set by the board as a day fo hearing remonstrances.

### BUILDINGS CONDEMNED.

Avenue and East Washington.

Building Inspector Bartel recommended nounces the structures in question ram-. Both telephones, 2005; shackle and unsafe. Two houses at 527 and Frank M. Page to Chas. F. Robinson, 531 East Washington street, owned by Clara Hammell; one house at 521, owned by Arthur V. Apple to Union Traction Co., W. E. Walling; one at 533, owned by the Marion Trust (Company; one at 535, owned by the pts n e 14 Sec 34, Tp 17, R 5. (Law-rence township.) by Myra P. Edizinger, and one at 54, owned | Ediah McCord to Union Traction Co., by E. E. Kortepeter, all on East Washington street, are condemned by Mr. Bartel. On Massachusetts avenue three houses at 443, 445 and 447, the property of Joseph Flack, and four at 501, 503, 505 and 507, the property of George B. Yandes, are disapproved of by the inspector. The Board of Works yesterday set April 14 as the day for hearing remonstrances against the wholesale condemnation.

### Many Building Permits.

More building permits were taken out yesterday than on any day since 1902 began. There were thirty-six permits issued for buildings to cost all the way from \$100 to \$10,000. Contractors streamed into the controller's office all day, standing in line sometimes for an hour. Henry Kothe was licensed to build a three-story brick building on Virginia avenue at Nos. 316 and 318 It will cost \$10,000. The Advance Veneer and Lumber Company took out a permit to build a brick factory building at Massachusetts avenue and Adams street which is to

### To Connect with Plainfield Line.

The Indianapolis Street-railway Company will be permitted to extend its West Indianapolis line to the city limits for the purpose of meeting the Plainfield interurban line to be built by Albert Lieber. The Board of Works yesterday formally granted the petition of the street-railway company to make an extension on Oliver avenue from Division street to the city limits Work has commenced on the Plainfield interurban and it is expected to have cars running on it by June 1.

Look Askance at Contract Price. Mayor Bookwalter, it is stated, is becoming more and more convinced that the city paid too much for its new fire alarm telegraph system. If there is any way legally for the city to retain any of the amount still due the Gamewell Company on the contract price of \$65,000 it is believed the

### mayor will insist that the city hold to it. City Attorney Joss has the bundle of olds and ends which makes up the contract, and is expected to render an opinion soon.

Land Given to the City. William C. Van Arsdel yesterday tendered the Board of Works a strip of land north of Fall creek and east of College avenue for the purpose of opening a street through it. The land, he says, belongs to Charles R. Henry, William J. Richards and himself. They also own land in the vicinity, the value of which would be enhanced, they believe, if the board would order a street there. The strip is along the right of way of the Union Traction Com-

### BOARD OF WORKS ROUTINE. FINAL ACTION TAKEN.

Local sewer in Chesapeake street, from Missouri street to a point eighty-seven feet west of Senate avenue. PRIMARY ASSESSMENT ROLLS AP-

Local sewer in Pratt street, from Peru avenue to a point 202 feet east. Vacating Reagan and Anderson streets, from the L. E. & W. to Martindale avenue, Vacating Alvord street, from Anderson street to a point south. Vacating the first alley east of Alvord street, from Anderson street to a point

PETITIONS FILED. For block pavement in the first alley south of Thirteenth street, from College avenue to Ashland avenue.

For opening and extension of St. Paul street, from Prospect street to Cooper's addition, and also for opening of any alley from St. Peter street to St. Paul street. For local sewer in the alley east of Keystone avenue, from Washington street to New York street. PAPERS ORDERED.

### For brick roadway in the first alley east of Delaware street, from Thirteenth street

to Fourteenth street. For cement walks next the property line on Minnesota street, from Madison avenue to East street. For asphalt roadway, brick gutters and

stone curbing on Seventeenth street, from College avenue to the Monon tracks: For cement walks on Baltimore avenue, from Hillside avenue to Twenty-first street. For grading and graveling the first alley east of Beville avenue, from Tenth street

to St. Clair street. RESOLUTIONS ADOPTED. Local sewer in Oak street, from Massachusetts avenue to the alley south of Eleventh street Wooden block pavement and curbing on Michigan street, from Fulton street to

Pogue's run. Wooden block pavement and curbing on Michigan street, from Noble street to Fulton street. Wooden block pavement and curbing on

Michigan street, from East street to Noble street. To open a street west of White river from Oliver avenue to Washington street.

BUILDING CONDEMNATIONS RECOM-MENDED. Nos. 527 and 529 East Washington street, owned by Clara W. Hammel.

No. 531 East Washington street, owned by W. E. Walling. No. 533 East Washington street, owned by Marion Trust Company. No. 535 East Washington street, owned by Myla F. Hitzinger.

No. 537 East Washington street, owned by E. E. Kortepeter. Nos. 443, 445 and 447 Massachusetts avenue, owned by Joseph F. Flack. Nos. 501, 502, 506 and 507 Massachusetts avenue, owned by George B. Yandes.

April 14 named as day for hearing. CONTRACT ENTERED INTO. With the United States Encaustic Tile works, granting the right to lay a switch

across Sixteenth street and the alley north | \$500 of Sixteenth street. STREET-RAILWAY EXTENSION OR-DERED

On Oliver avenue, from Division street to city limits.

# Memorial Tree Association.

The annual meeting of the Memorial Tree Asociation was held yesterday morning in do; America ditto. Have the best; Cook's the assembly rooms of the Commercial | Imperial Extra Dry Champagne.

Club. The following officers were elected: President, Mrs. Ernest Cole; vice president, Mrs. F. T. McWhirter; treasurer, Mrs. Kate Jenkins; secretary, Miss Hester Mc-Clung. The annual reports were read.

### SUCCESSFUL ARBITRATION.

### Desk Sergeant Bray Makes Good Use of a Telephone.

cult problems, but Desk Sergeant Bray claims the distinction of having successfully acted as arbitrator by telephone in settling a difficulty between a North Pennsylvania-street domestic and her best beau.

with wooden block roadway, and it is esti- tled swain. "I'll fix you so you'll be dis- An appeal was prayed for and the case was affidavit of appellant's for leave to file re-The young man made a dash toward the iomestic's sleeping room, and declared that he would allow the family to find him provements much more extensive and cost- | there. Her pleadings were in vain. Then she told her troubles to the desk sergeant. and the latter ordered the imprudent young man to the telephone. Then the sergeant said to him: "If you don't get out of that house within five minutes I'll send the bicycle policemen after you." The girl told the sergeant a few minutes later that they "had made it up," but he had left the

### SALES OF REAL ESTATE.

# They Are Located on Massachusetts Thirty-Six Transfers Made Matter of

Record Yesterday. Instruments filed for record in the recorder's ofyesterday to the Board of Public Works | fice of Marion county, Indiana, for the twentythat a number of buildings on East Wash- four hours ending at 5 p. m., April 7, 1902, as ington street and on Massachusetts ave- furnished by the Indiana Title Guaranty and nue be condemned. The inspector pro- Loan Company, No. 129 East Market street.

Lot 53, Bryan's n e' add. (Rural st. pts n w % of Sec 24, Tp 17, R 5. (Same

John E. Snow to John Moore, n w 1/4 n w ¼ of Sec 30, Tp 17, R 5; also pt se ¼ of Sec 24, Tp 17, R 4; pt n e ¼ of Sec 25, Tp 17, R 4, and w ½ s w ¼ of Sec 19, Tp 17, R 5. (All in Lawrence township.) awrence H. South to Artiansia Greer, Lot 7, Blk 1, Tuxedo Park. (Garfield av. near Washington st.)..... Rachel Rubush to Thos. R. Rubush, und % of s e % of Sec 22, Tp 14, R 5. (Franklin township.). Wm. H. Camagey to Otto Delp, tr., Lot 109, Dougherty's sub of Outlot 99. (Dougherty st. near Wright st.). Robert Zim to John T. Plummer, Lots 89 to 92, Tilford & Thrasher's e add to

Marietta Vansickle to S. Newton Springer, pt n w % of Sec 20, Tp 16, R 5, Luella P. Hartley to Frank E. Gavin, Lot 30, Blk 6, Indpls Car Co.'s 1st add. (Cor Arsenal av. and 17th st.).... Henry H. Hanna to Isaac N. Richie, Lot Allen & Root's n add. (Delaware st. near 17th st.). Henry C. Brunson to Thos. Dow, and f pts s w 14 of Sec 12, Tp 16, R ; (Washington township.) Henry C. Baase to Paul H. Gunsser, pt Lots 21 and 22, McCarty's sub of Outlots 118 and 119. (Union st. near Wilkins Henry Nicholai to Lawrence S. Hill, pt

Irvington, (Cor. Warren st. and Wash-

Lots 1 and 2, Square 31, city of Indian-apolis. (Cor. New York and Missouri Frederick Schrader to Central College of Physicians, Lot 4, Square 32, city of Inlianapolis. (Senate av. near Ohio st.). 8,750.00 Barker to Thaddens S Brown, Lot 154, Clark's add to Haughville. (Bismarck av. near Clark st.) .... Mary Koch to Jesse C. Moore, Lot 3 in Burkhart's sub in Sec 35, Tp 16, R 3, Cor. Northwestern av. and Holton Frank Roesch to Wm. Haas, pt Blk Hutchings & Darnell's Brookside add. (Gale and Olney sts. near 21st st.) North Congregational Church to Chas, Park add. (Talbott av. near 24th st.) ..

A. Raper et al., Lot 29, Blk 15, Lincoln Herman E. Martens to James P. Smith pt Lots 142 and 143, Bruce-place add. Bellefontaine st. near 21st st.).... Thos. F. Brewer to Martha A. St. Clair, Lot 234, Allen's 2d n add. (Chicago st. near Rader st.). Chas. W. Fairbanks to Frederick H. Neimann, Lot 43. Sanders-street add. Jos. W. Selvage to Alexander L. Morrison et al., pt Lot 32, Blk 2, Nordyke & Hollowell's Grandview add. (Cor.

Rellefontaine and 25th sts ) ohn W. Stroh to Beecher J. Terrell, pt Lot 2, Stroh's sub in Irvington. (Downey av. near Julian av.) .. Camden A. Johnson to Larz A. Whitcomb, tr., Lots 6, 9 and 10, Mack's 1st add to Oakland. (Vine st. near Center Larz A. Whitcomb, tr., to Maud Johnson same as above Beecher J. Terrell to Amos W. Butler et. ux., pt Lot 2, Stroh's sub in Irvington. (Downey av. near Julian av.) ..

Chas. H. Pritchett to J. McLean Lockhead et ux., Lot 9. Horne & Dawson's sub of Lot 24, Johnson's heirs' add. (Ash st. near 20th st.); Lot 256, Spann & Co.'s 1st Woodlawn add. (Lexington av. near Laurel st.) and pt Lot 19, Mc-Carty's sub of Outlots 116 and 117. (Meridian st. near McCarty st.).... Florence A. Skinner to Margaret K. Astley. Lot 25, Hall-place add. (Hall pl. near 18th st.). Albert M. Terry to Jos. Hancock, Lots 86 and 87, Ardmore. (Broadway near Crown Hill Cemetery Co. to Owen Foy, Lot 276, in Sec 28 Crown Hill. Wm. H. Boyd to Eliza J. Boyd, Lot 3 Burton & Campbell's Park-place add.

Lot 54, Meyer's 2d add. (Prospect st. Peter st.). Richard E. Niven to Martha C. Thompson, Lot 29, Blk 11, Bruce Baker's add., 400.00 Sarah L. Spann to Caroline V. La Rue Lots 1 and 2, Morgan's sub of Fletcher, r's n e add ... Sheriff Marion County to Florence B Holliday, pt w 1/2 of s w 1/4 of Sec 6

Transfers, 36; total consideration.....\$69,052.76

# Building Permits.

W. G. Schmershi, remodeling frame, corner of Beville avenue and Washington street, \$600. W. M. Cochran, repairs, 1402, College avenue, George Direks, veranda, 829 Villa avenue, \$120. Advance Veneer and Lumber Company, brick factory. Adams street and Massachusetts ave-Lizzie Landers, double frame, 2214 Prospect street, \$2,500. J. E. Harrod, brick repairs, 110 Virginia ave-M. Ryder, cottage, Holmes avenue, \$1,100. Ryder, cottage, Holmes avenue, \$900.

Ryder, cottage, Hoimes avenue, \$650. Isaac Preschink, cottage, 2530 Boston avenue, David H. Clark, cottage, Lee street, \$127. Franz Kropp, addition to Came cottage, 1151 Bates street, \$250. E. M. Loomis, rear, 615 South New Jersey street, \$400. Margaret Everhardt, frame addition, 335 West Morris street, \$155. Alice Leeth, repair frame, 1608 W. Morris E. C. Carster, frame house, 70 Addison street,

Levi S. Pierson, three-story brick, 302-316 Vir-M. V. Myers, frame house, 718 Torbett street. S. Myers, frame house, 704 Torbett street. Henry Kothe, three-story brick, 316-318 Virginia avenue, \$12,000. Ella E. Odell, frame, 2545 Brightwood avenue. \$1,425 W. P. Myers, frame, 2128 East Prospect street. W. P. Myers, frame, 213t East Prospect street, & H. M. Watts, barn, 1109 Eugene street, street, \$1,500.

John M. Williamson, frame, Twenty-third Martin Reiffel, addition, 545 West Ray street, Navin Bros., remodeling, Washington street and Senate avenue, \$100. George Clements, remodeling, Downey avenue and Wenzel street, \$350. Paul Felske, frame, Weghorst street, \$900. E. Arnold, remodeling, 1217 Fletcher ave-

Marion Overheiser, porch, 1131 Linden street, James Fleming, stable, East Tenth street, \$100. Albert Hutchinson, repairs, 348 East Washington street, \$100. William Lampert, frame, Laurel street, \$1,500. Bern Wilt, cottage, Tacoma avenue, \$150. Robert Pannell, veranda, 1215 Fletcher avenue,

# April.

She who from April dates her years Diamonds should wear, lest bitter tears For vain repentance flow; this stone, Emblem of innocence, is known. -Notes and Queries.

When you are in Rome, do as the Romans

AUDITOR'S RIGHT DENIED

BRIEF FILED IN THE COMMERCIAL

The police are daily asked to solve diffi- Presented to the Supreme Court by Charles F. Coffin-Cases in the County Courts.

INSURANCE COMPANY CASE.

Attorney Charles E. Coffin filed a brief North Pennsylvania street at once." The Company, of New Albany. This action was S. C. West street, from North street to Four- desk sergeant asked a few questions, and commenced by the auditor of state as reold-fashioned way, and emphatically re- alternative writ was issued, to which the W. Madden, adm'r. De Kalb C. C. Appelappellee addressed a demurrer, which was lee's petition for additional time. "I'll fix you all right," said the disgrun- sustained by the Marion Superior Court.

> taken to the Supreme Court. In the brief of appellee just filed the points and authorities and arguments are set out. "We call the attention of this court to the fact that nowhere in any of the provisions of the act is there a single word that refers to the right of the auditor of state, or any other officer of state, under any circumstances, to wind up any company doing business under a special charter 'whose condition should be discovered Wabash R. R. Co. De Kalb C. C. Appellee's to be unsafe or insolvent," says the brief. brief (8.) "In fact, nowhere in the act is there any provision whatever made for the imposition of any penalty upon these so-called special charter insurance companies for failure or refusal to comply with the provisions of the act.

"The theory of the appellee is that whatever may have been the purpose of the Legislature in pasing the statute in question, the scope of the act is limited and restricted by its title, and that the title relates to the doing of one thing, and to that one thing only, namely, the filing of annual reports with the auditor of state. It will be observed that this title is special and not general in its character. It is not an act relating to insurance companies 1.00 generally, but it is simply an act requiring certain insurance companies to perform one specific thing, and this specified act to be done by the insurance companies referred to only once a year, and always on or before a certain day of each year. \* \* \* "Counsel for appellant contend that for a long time, ever since 1877, all examinations of insurance companies made in this State by the auditor of state have been made with the authority conferred by the act of 1877. We are willing to concede that the auditor of state has had no other authority for his examinations, but that is only equivalent to saying that in every such examination as he has made he has been a usurper of authority and an intruder, without warrant of law, into the business of insurance companies, and that, too, at the expense of the companies whose

rights were unlawfully invaded. We do not imagine that the examinations heretofore made by the auditor of state, whether made by the consent of the companies willingly given, or given under threat or other species of terrorism, will be able to shed much light on the constitutional question now under discussion. We do not deem it necessary to extend this argument. It seems that the judgment of the Marion Superior Court shall in all things be confirmed.'

Cases in the Probate Court. The will of Elizabeth M. Hollenbeck, probated yesterday, leaves one-third of her estate to her husband, William Hollenbeck; \$150 to her nephew, Edward Hutchins, and the remainder of the state to be divided into three equal parts and distributed, one share to her sister, Mattie L. Correy; one share to her sister, Annie Jay, and one share to the two children of her sister, Rachel Henshaw. Wilbur W. Dark was appointed executor of the estate, and gave a bond of \$7,500. David Shoemaker was appointed guardian of Susie Isabel and Elmer I. Shoemaker,

and gave a bond of \$2,800. Harry M. Gentry was appointed administrator of the estate of Zachariah Gentry, and gave a bond of \$3,600.

Mrs. Briggs Gets a Divorce. The divorce suit of Anna Briggs against her husband, Fred Briggs, that was tried before Judge Carter yesterday, told the story of a romantic marriage. Mrs. Briggs hanger, and went to her house to do some work. The widow was Briggs's senior, but a few weeks later they were married. According to the complaint Briggs did not overexert himself at work, and in a short time the two became estranged, and one day the trouble resulted in Mrs. Briggs

### throwing him out of the house. Judge Carter granted Mrs. Briggs a divorce.

and her grown daughter taking Briggs and

A Mechanic's Lien. The Ransone Concrete Fire-proofing Company yesterday filed a mechanic's lien on the new Claypool Hotel for \$15,000. This company first had the contract for doing the concrete and fire-proofing of the building, but in a controversy with the George B. Swift Company, of Chicago, the general contractors, over the subcontract, it was taken from the Ransone Company. The lien sets out that the amount claimed is due for

# Legal Mind Turns to Poetry.

labor and material furnished.

Following is a copy of a notice that hangs on one of the court calenders in Room 3. of the Superior Court:

"Strayed or stolen from Room 3 One volume Indiana Reports, No. 93. Of sad words of tongue or pen, The saddest are these, "Touched again," The poetry is said to be from the pen of Robert Scott, clerk in Room 3.

# Petitions in Bankruptey.

George Alberstmeyer, of this city, a clerk, filed a petition in bankruptcy in the Federal Court yesterday. His debts are \$625 and he Robert Rees, of Redkey, filed a petition in bankruptcy, giving his liabilities as \$1,555 and his assets as \$130.

Cost Gus Rahke \$250. In Police Court Gus Rahke yesterday paid \$250 to obtain the liberty of himself and twenty-three gamblers caught by the police last Saturday night in a raid of Rahke's gambling resort, "The Farm," near the

### fair ground. Rahke was fined \$25 and costs. Sues Husband for Divorce.

Belle Caldwell yesterday filed suit for divorce from her husband, William Caldwell, alleging that he was a drunkard and was in the habit of getting on sprees that lasted two weeks at a time.

### Mr. Saulcy's Suit Remanded. The suit of Eugene Saulcy against the Indianapolis & Greenfield Rapid Transit

Company, in the Federal Court, was re-

manded to the Superior Court yesterday. THE COURT RECORD. SUPERIOR COURT. Room 1-John L. McMaster, Judge.

Sophia Busch vs. John Troupe et al. for injunction and damages. Finding for defendants. Judgment against plaintiff for CRIMINAL COURT. Fremont Alford, Judge. Patrick Leary; provoke. Appeal from

Grand fury meets. Walter Gakstatter; incorrigible. Finding guilty. Sentenced to Indiana Reformatory for Boys. NEW SUITS FILED. Mary E. Weston vs. Charles N. B. Weston; divorce. Circuit Court. Maude M. Logan vs. Elva Logan; divorce. Superior Court. Room 1 Belle Caldwell vs. William Caldwell; divorce. Superior Court, Room 1.

Justice Smock. Dismissed by agreement.

Demarchus C. Brown vs. Samuel I Owens et al.; mortgage foreclosure. Superior Court, Room 2. Almira R. Whittemore vs. Samuel P. Owens et al.; mortgage foreclosure. Superior Court, Room 3. William Kothe et ai. vs. George Kothe et al.; to quiet title. Superior Court, Room 2. Daisy May Lockwood vs. Charles Fay

Lockwood; divorce. Superior Court. SUPREME COURT.

-Minutes.-19747. B. & O. and Chicago R. R. Co. vs. Town of Whiting et al. Lake C. C. Appellants' reply brief (8.) 19748. B. & O. and Chicago R. R. Co. vs. the City of Hammond et al. Lake C. C. Appellants' reply brief (8.) 19746. The P., C., C. & St. L. Ry, Co. vs. the Town of Crothersville et al. Jackson C. C. Appellant's reply brief (8.) 19788, John G. Heinl vs. City of Terre Haute et al. Vigo C. C. Appellant's brief (8.) 19822. International Text-book Co. vs. Horace L. Weissinger et al. Clark C. C.

Appellant's brief (8.) -New Case.-19829. Pleasant Civil Township vs. William F. Cook et al. Laporte C. C. Record. Assignment. Errors.

APPELLATE COURT .--Minutes .-4286. State of Indiana ex rel. Sarah Hol-

liday vs. George B. King et al. Tippecanoe Appellant's reply brief (8.) 4270. Charles Baertz vs. Gustave Schmidt et al. Laporte S. C. Appellee's motion and 4302. William F. Hoyle et al. vs. John Stillwagen et al. Lake S. C. Appellants' 4258. William H. Coffinberry vs. Alpheus

4198. Adolph Zuelly et al. vs. Martin F.

4259. William Tron et al. vs. Zimri C.

Casper et al. Perry C. C. Petitnon and

Lewis, Boone C. C. Appellee's brief (8.) 4304. Volney T. Malott, Receiver T. H. & I. R. R. Co., vs. State ex rel. Board of Commissioners of Clay County. Clay C. C. Appellant's brief (8.) 4319. Ezra E. Robards vs. the Indianapolis Street-railway Co. Marion C. C. Appellant's reply brief (8.) 3854. Walter J. Dixon et al. vs. William H. Elkenberry. Howard C. C. Appellant's additional authorities.

## RECENT LEGAL OPINIONS.

Rallroads - Alighting from Moving Train .-

Where one who was permitted to ride on a freight train as a mere matter of accommodation was thrown from the train as he was in the act of leaving it as it moved rapidly past a station at which the men in charge had assured him it would stop, the railroad company was not liable for his death resulting therefrom, though one of the men in charge had told him that it was time to prepare to get off. The danger of getting off while the train was moving rapidly was perfectly obvious, and in taking the chance he assumed all risk in conection therewith. [66 Southwestern Rep (Ky.) No. 8.]

-Checks-Private Circulating Medium .-Most of the States have statutes forbidding the creation or circulation of any note, bill, bond, check or ticket purporting that any money or bank notes will be paid to the holder or that it will be received in payment of debts or to be used as a medium of currency in lieu of money. The Supreme Court of Arkansas, in an opinion contruing such a statute, holds that it was intended to prevent creation of private circulating medium, and checks issued by a company to its employes, redeemable in merchandise at the company's store, were not within the prohibition intended to be reached by the passage of such a law. [66 Southwestern Rep., No. 8.] -Gaming Contracts-Cannot Be Enforced.

In consideration of a specified sum, part cash and the balance in installments, defendants, by written agreement, sold plaintiffs the exclusive betting and book-making privileges, etc., on its race track for a certain period. After a short enjoyment of the rights so purchased plaintiffs abandoned the contract on the ground that defendants interfered with the privileges sold them, and sought to have the purchase money apportioned to the time during which they had been in possession and to recover the excess. It was held that the contract, being a sale of the privilege of gambling with the public, a court would not aid either party in the enforcement thereof. [66 Southwestern Rep. (Missouri),

-Allmony-Imprisonment for Debt .-Plaintiff, who had been required by decree in a divorce case to pay certain alimony to his wife, was imprisoned for contempt of court for a failure to comply with the terms of the decree, and endeavored to obtain his release by means of a writ of habeas corpus on the ground that the imprisonment was for debt and within the prohibition of the Constitution. The Supreme Court of Washington holds, in a recent case, however, that a decree for alimony is not a debt, and cites authorities from many States in support thereof. [66] Pacific Reporter, 425.]

-Bankruptcy-Saloons and Restaurants .-The United States Court of Appeals, in deciding a case appealed from Colorado. holds that a corporation engaged in running a saloon and restaurant is not a "mercantile" or "trading" corporation within 700.00 had been married before. Briggs is a paper | the meaning of the bankruptcy act of 1898 describing corporations which may be adjudicated involuntarily bankrupts, and is not subject to the provisions of the act. [122 Federal Rep., No. 8.]

# UNIQUE SANITARIUM.

# Its Cardinal Principle Is Social Purity

-Other Associations. A company has been formed in Indianapolis for the purpose of conducting a sani- suggested. The letter was very carefully tarium for indigent or other sick and in- worded and extremely cautious in tone. firm persons. The title is the Rational It was received by Council with no com-Sanitarium and it is capitalized at \$60,000, \$50,000 of which is common stock and \$10,000 preferred. The sanitarium will promulgate temperance reform and disseminate the principle of social purity by means of classes, lectures and publications. Patients from the Indianapolis Gas Company and will be treated as far as possible by other from the Consumers' Gas Company, which have been forwarded to me by such cormeans than that of drug-giving. The directors are R. O. Ross, Joseph R. Ross,

James Osborn and Oliver B. Price. The United States Chain Company, of Greenfield, incorporated with \$30,000 capital to manufacture drop forgings, etc. The di- you, without in any way binding myself as rectors are James E. Wells, William J. S. Woodall, Oakley A. Wells, William M. Wells and Sam R. Wells. The J. T. Royse Company, of Elwood, in-

corporated with \$20,000 capital to do a general house-furnishing business. The directors are James T. Royse, of Lafayette: Charles H. Herring and David C. Ross, of Elwood. The Cumberland Telephone Company, of Cumberland, Marion county, incorporated

with \$10,000 capital. Directors have not been The Muncie Savings and Loan Association notified the secretary of state of an increase in its capital stock from \$1,250,000 to \$2,-

# Deals in Real Estate.

Henry H. Hanna yesterday deeded to Isaac N. Richie a property on Delaware street, near Seventeenth street, for \$3,750. Lawrence S. Hill has purchased of Henry Nicholi a property at the corner of New York and Missouri streets for \$5,000. Frederick Schrader yesterday sold to the Central College of Physicians and Surgeons a property on Senate avenue, near Ohio street, for \$8,750. Herman E. Martens has sold a residence

property on Bellefontaine street, near Twenty-first, to James P. Smith, for \$4,000. J. McLean Lochhead yesterday purchased three properties of Charles H. Pritchett, located on Ashland avenue, near Twentieth street, Lexington avenue, near Laurel street, and South Meridian street, near McCarty, for \$12,000.

# The Bluebird.

When ice is thawed and snow is gone, And racy sweetness floods the trees; When snowbirds from the hedge have flown, And on the hive-porch swarm the bees-Drifting down the first warm wind That thrills the earliest days of : pring, The bluebird seeks our maple groves, And charms them into tasseling.

He sits among the delicate sprays With mists of splendor round him drawn, And through the spring's prophetic veil Sees summer's rich fulfillment dawn; He sings, and his is nature's voice-A gush of melody sincere From that great fount of harmony Which thaws and runs when spring is here.

Short is his song, but strangely sweet To ears aweary of the low Dull tramp of winter's sulien feet. Sandaled in ice and muffed in znow Short is his song, but through it runs A hint of dithyrambs yet to be-A sweet suggestiveness that has The influence of prophecy. Sing strong and clear, O bluebird dear! While all the land with splendor fills,

While maples gladden in the vales

And plum trees blossom on the hills; Float down the wind on shining wings, And do thy will by grove and stream, While through my life spring's 'reshness runs, Like music through a poet's dream.

FIRST CONSIDERATION OF MATTERS OF IMPORTANCE.

Miles Dougherty Outlines the Situntion in the Anthracite Field-Bootblacks Meet.

The executive board of the United Mine Workers did not take up the important matters before it yesterday on account of a small strike in Pennsylvania, which required the attention of the officers. The board will convene this morning and at once get down to business. The indications are that the anthracite situation will be made paramount in the conference.

Miles Dougherty, board member from one of the anthracite districts, said last night: "We are not looking for a fight and hope that there will be none, yet we are ready if it comes. We could tie up every mine in the anthracite field if a strike should come, and at the order to quit every tool will be dropped. There are 142,000 miners in the field, members of the organization, and they will stand together. A strike in the anthracite field would mean a bitter struggle, a struggle to the end, and the miners do not want it. They know that if it should be lost they would again be placed in bondage, as they have been. They have well considered the situation and would only strike as a last

The anthracite miners are not demanding an increase in wages. They ask to weigh the coal and for an eight-hour day. They now work ten hours a day. The scale of wages differs in certain districts, ranging from \$8 to \$10 a week for the same amount of work and they request an equalization that will establish a uniform price. The request for a joint conference with the operators is also to gain recognition of the union in order that these differences might be satisfactorily settled in all parts of the

Some of the conditions in the anthracite Dougherty, "and I really believe that if the heads of the companies and the men who have their capital invested knew of these conditions they would put a stop to many of the almost inhuman practices. A joint conference is the only method we have of reaching these men, when facts can be laid before them and the miners may be given

"The situation with the miners at this time is entirely different in respect to their organization from what it has been. They now have faith in the union and the highest respect for President Mitchell. The anthracite miners have been organized before, but by using diplomacy the operators were successful in getting them to quarrel among themselves and spread dissensions among the ranks. It is not so now. The officers in the field have been very careful to guard against this, and the men have been warned to avoid any complications that might discourage unanimous action.' In speaking of the pending action of the board, he said the anthracite miners place much faith in the ability of the Civic Federation to settle the difficulty, but, at the same time, they do not place entire reliance upon it because it is a new institution and has never been tried. However, they are willing to give it a test, and if the result is satisfactory the miners will give it credit

for being the great movement intended in its organization. The situation in Virginia and West Virginia is such that it will not likely be subordinated to that in the anthracite field. The bituminous coal field of central Pennsylvania also seems to be a candidate for a strike, but the two together are not considered serious hindrances to a suspension of work in the anthracite field because of the fact that it will call out several thousand more men. One point in favor of a strike in these two fields is that it would affect the coal-carrying railroads that are backing the anthracite miners, and it might really be a benefit to the an-

# Bootblacks Defer Action.

Twenty-two bootblacks and newsboys met in Central Labor Union Hall last night to organize a union, but on account of small attendance organization was deferred until a meeting to be held in two tion committee of Central Labor Union, met with the boys. The most important object of the union is to obtain a city license for newsboys and bootblacks who depend on these vocations for a living, requiring that each wear a badge. It is said that this is measure for their own protection. The

# intention is also to establish uniform prices

GAS METER ORDINANCE. (CONCLUDED FROM FIRST PAGE.) present time, yet he could not look with favor upon the proposition to establish meters at any price, much less the price

MAYOR'S COMMUNICATION.

The letter is as follows: herewith and through you to the members of the Common Council communications porations in order that the same shall receive such consideration as in your judgment and the judgment of the members of the Common Council the interests of the people of Indianapolis shall demand. "In submitting these communications to to my future action on this question, I cannot refrain from expressing the opinion that the rates for natural gas suggested therein should receive the most careful consideration at your hands. I am convinced that the best interests of all the people demand that this question as to the future price and supply of natural gas should be settled definitely at the earliest possible moment, but I am not ready to agree at this time to the proposition that the rate suggested in such communications, admitting that the introduction of meters is the only solution of the natural gas problem, to which proposition I cannot accede at this time, would be fair and equitable to the consumers of natural gas. My position on this question has been outlined repeatedly to the people of Indianapolis, and I still hold to the opinions heretofore expressed and the pledges heretofore given. While I cannot at this time view with favor the proposition to introduce meters at any price, much less at the price suggested in such communications, I recognize that the changing conditions may demand some action upon the part of the city of Indianapolis looking to the retention to all our people of the advantages of natural gas for fuel, and, therefore, expressing a desire that this whole subject shall be settled definitely at the earliest possible moment, I submit these papers to your honorable body with the assurance that I shall be ready to co-operate with you in reaching such determination of this question as shall prove satisfactory and to the best interests of the people of the city of Indianapolis."

SECOND IN INTEREST. The Southern franchise was second in interest only to the meter ordinance and its accompanying communications. The road received its franchise by a vote of 15 to 6. Party lines were not closely drawn on the measure, as two Republicans voted against granting a franchise and four Democrats voted in favor of the grant. For the franchise were Berry, Billingsley, Cooper, Eppert, Holliday, McFarland, Negley, Rhodes, Shea, Wahl, Warweg, Wheeler, Wynne, Wysong and Haldeman. Against it were Crall, Kelly, Meyer, Moriarity, Sourbier and Wolsiffer. A number of councilmen explained their

said that he did not believe the contract was the most favorable which could have been secured and that it had not received the most thorough attention from the committee. He did not oppose the idea of admitting another coal road, he said, but he did not think the terms for admitting the Southern were the most favorable. Councilman Sourbier declared that he voted not been examined with due care, and that | new prices. there was at least one of its provisionsthe one relating to double tracking through | and the City Councils have this problem

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James H. Billingsley, of the Second ward, aroused a stir of interest when he intreduced his measure providing for the inspection and testing of illuminating gas meters. A buzz ran round the chamber, as it was thought at once that the measure must be connected with the meter ordinance previously introduced, and probably was a blow at the gas companies. Later Mr. Billingsley explained that his ordinance had nothing whatever to do with the meter measure. There has been considerable complaint, he said, from consumers of illuminating gas that their meters had not been registering accurately. and that they have been getting the worst of it. Many of these complaints have | To the Editor of the Indianapolis Journal: reached Secretary George E. Hunt, of the Commercial Club, said Mr. Bfllingsley, and Mr. Hunt had suggested that an ordinance dealing with the matter be brought to

INSPECTION OF METERS. The measure provides for the inspection and testing of gas meters, and for determining the purity and illuminating power of illuminating gas by the city engineer, and makes it a misdemeanor for any company furnishing illuminating gas to refuse or neglect to correct inaccurate meters within twenty-four hours after receiving notice. Any consumer who believes that he is a sufferer from inaccurate meters

may request the city engineer, in writing,

to come to his residence, disconnect the

meter, take it to the engineer's office and

examine it. The engineer is also empow-

ered, at the request of any consumer, to make an examination of the purity of the Mr. Billingsley's ordinance for the regulation of scales, weights and measures was also introduced last night. It has been hanging fire for some time. In substance the ordinance provides that all weights and measures, including scales, shall be of standard design only; that the controller shall obtain all necessary standards as recognized by the United States and the company if one were to use economy in State; that there shall be appointed an inspector of scales, weights and measures at a salary of \$1,200 annually, who shall make an annual inspection, charging a small fee. Mr. Billingsley states that the object of

the measure is to eliminate the possibility of dishonest weights and to establish regu-Mr. Negley was successful in getting through Council his ordinance providing that an improved avenue shall be constructed from the intersection of Massa-Brightwood avenue, taking into itself many small, unimproved, straggling streets along the route. A number of Brightwood people were at Council, and expressed pleasure at the passing of the measure. In voting several councilmen explained jocularly that

they voted "aye" because it was provided that the new avenue shall be called "Roose-APPROPRIATION CUT IN HALF. The finance committee of Council cut in for by the Health Board. Instead of the committee advised that \$2,500 be given "I have the honor to transmit to you the board. The ordinance was passed without a dissenting voice. Another ordinance favorably recommended by the committee

\$16,500 to pay old judgments against the Among the new ordinances introduced were an ordinance giving the Atlas engine works the right to construct a number of new switches to its plant; one giving James L. Keach the right to put a switch across McGili street; one giving the Encaustic tile works the right to put a switch across Sixteenth street; and one authorizing the Big Four Railroad Company to lay

a switch for the use of W. J. Holliday The serious business of Council was varied by a passage-at-arms between President Haldeman and Mr. Eppert. Early in the session Eppert had presented a report on an annexation measure in which he was interested, and then turning to a tellow-member became so deeply involved in conversation that he failed to notice the moment had come to make a motion that the report should be approved. The time sped and Haldeman, declaring the report not approved, went on with the routine. Eppert got red in the face, and springing to his feet exclaimed:

'You're a nice fellow, you are!" Haldeman ordered him to take his seat, which he did, fuming. Thirty minutes later Eppert arose with gravity, holding in his hand a copy of the rules of Council. "I arise to a point of order," he said. "These rules provide that there shall be no smoking during a session of Council, and at this time the president of the body is puffing a big black cigar. I demand that he shall be disciplined Haldeman went on puffing, with the remand. Finally he took his seat and the

### contretemps was laughed off. Meters at Richmond.

To the Editor of the Indianapolis Journal; epidemic some observations from one who tion is necessary if our nation would have cause the pressure of gas cannot be equal- | strength to the country. ized so that the flow will be the same | For the special weaknesses to which in all homes; when payment is by the women are now victims, Paine's Celery month the charges are thus equal, while the | Compound is the surest and safest remedy. amount of gas furnished is very unequal; The wonderful strengthening and buildingwith meters you pay for what you burn only. up properties of this marvelous prescrip-Second, when there is not enough of any | tion devised by that eminent medical excommodity to supply the demand, some- pert, Prof. Edward E. Phelps, M. D., LL. thing has to be done to determine who D., and its specific action in correcting disshall be served; it is true now of gas at Richmond, and has been for several years, that there is not enough for us all. Our known to the medical profession and to the gas company put in meters and raised the votes. John H. Crall, in voting negatively, price from 121/2 to 25 cents in order to cut raised from weakness and disease to health down the number of consumers so that the and physical happiness. gas would supply them; they may have ! had other reasons, but the shortness of the true health tint to sallow and bloodless gas compelled them to do something. They | faces; it gives life and light to the eyes; tried to discriminate and have two prices It gives pure, clean blood to course through according to the use to which the gas was | the body; it gives natural appetite, sweet put, but the courts would not allow it. sleep, and that blessed cheerfulness that is The present service is generally satisfac- the delight of men. Try a bottle or two of tory; but in very cold weather they still Paine's Celery Compound, dear suffering against the road because the contract had cannot supply all who take gas at the and run down sister. Your condition, your

-Maurice Thompson. or amended. Councilmen Andrew Wall when the supply is not equal to a quarter DIAMOND DYES color anything any color fade

and Michael J. Shea said that they believed of the demand? Under these circumstances the road is a good thing and that the con- it would be hard to find it unreasonable field have never been exposed," said Mr. tract was in the main favorable to the to measure his gas to every man, whatbest interests of the city and individual ever the price; but if all try to take gas citizens. when there is but enough for one out of every four, meters will not solve the problem; it will be necessary to let the price solve it or to restrict its use by law, as for example, to cooking purposes; or it might be solved at 10 cents for cooking and 40 cents for heating. Unless polirics can increase the supply the whole question should be retired from politics. Third, meters should have been required from the beginning to conserve a fuel of so much value, the supply of which was certain to be exhausted at no distant day. Richmond, Ind., April 7.

## Gas and Coal Equivalents.

There is one phase of the gas question that has not been discussed in the Journal that should have some attention in Indianapolis at this time, and then the proper steps can be taken to ascertain the exact equivalent in feet of gas of a ton of coal. Of course, there are various grades of coal and various qualities of gas, but there is some average quality of coal in Indianapolis, and it will not be very difficult to obtain a reasonably accurate statement of the amount of gas that has the heat equivalent of a ton of coal. I have made a number of experiments, and have had others made, and I have no hesitancy in saying that when the best quality of Hocking Valley soft coal is worth \$1 per ton, then natural gas has an equivalent value of 7 cents per thousand cubic feet measured under an eight-ounce pressure, and used under similar conditions and in practically the same heaters. I would suppose that the best grades of soft coal at Indianapolis would cost the consumer about \$3 per ton. at which price its equivalent in natural gas under the pressure indicated would be 21 cents per thousand cubic feet. If the consumer, at his own expense, purchases improved and economical apparatus for use of natural gas, that fact is no more the business of the gas company supplying the same than it would be of the coal

the use of that sort of fuel. OLIVER H. BOGUE.

Wabash, Ind., April 7. Charged with a Shortage of \$8,000. CLEVELAND, O., April 7 .- County Proseuting Attorney Keeler to-day caused the arrest of Tony Deisner, former assistant Police Court clerk. The order for the arrest is the result of an investigation by the County Board of Examiners. Deisner chusetts avenue and Lewis street to is charged with being responsible for a shortage of about \$8,000. It is alleged that many hundreds of Police Court vouchers for witness fees were raised during the time that Delsner had charge of handling the work. Deisner was recently arreste

### when arrested to-day was out on \$20,000 ball on the charge of manslaughter.

in connection with a shooting affray, an

Failed to Appear in Court. ST. LOUIS, Mo., April 7 .- Charles Kratz. half the amount of the appropriation asked another of the men indicted for bribery in connection with the alleged corruption in the municipal assembly, and who was recommending an appropriation of \$5,000 cited to appear in court this forenoon for trial, falled to respond. His bondsmen

# and the case postponed until that time.

were notified to appear in court to-morrow

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and organically well. This absence of feminine health and vigorous vitality is due to a neglect of na-As Richmond has survived the gas-meter | ture's unerring laws. Immediate reformawas stricken, but is recovered, may be women who will become true wives and useful. First, meters are necessary, be- mothers with an offspring that will prove a

orders of the female organism, are well tens of thousands of women who have been

Paine's Celery Compound quickly gives family interests, and the welfare of so-The people, the gas companies, the courts | ciety demand this effort on your part.